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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION  
13

14 UNITED STATES OF AMERICA,  
15 Plaintiff,

16  
17 v.  
18

19 KENNETH JOHN GULICK,  
20 Defendant.  
21

Criminal No. CR 05-00435 JSW

22 **STIPULATION AND [PROPOSED]**  
**ORDER EXCLUDING TIME**

23 The above-captioned matter came before the Court on July 25, 2005 for arraignment on  
24 the indictment. The defendant was represented by David Fermino and the government was  
25 represented by Jeffrey Finigan, Assistant United States Attorney. The case was set for July 28,  
26 2005 for initial appearance before the Hon. Jeffrey S. White, United States District Court Judge.

27 The Court made a finding on the record that the time from and including July 25  
28 through July 28, 2005, should be excluded under the Speedy Trial Act, 18 U.S.C.

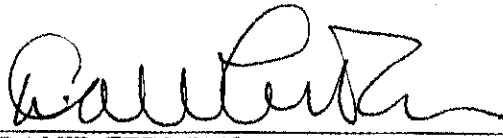
**STIPULATION AND [PROPOSED]**  
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§ 3161(h)(8)(A), because the ends of justice served by taking such action outweighed the best interest of the public and the defendant in a speedy trial. That finding was based on the need for the defendant to have reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and for continuity of counsel pursuant to 18 U.S.C.

§ 3161(h)(8)(B)(iv).

The parties hereby agree to and request that the case be continued until July 28, 2005 and that the exclusion of time until then be granted. The parties agree and stipulate that the additional time is appropriate and necessary under Title 18, United States Code, § 3161(h)(8)(A), because the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial. This time exclusion will allow defense counsel to effectively prepare, taking into account the exercise of due diligence, and will provide for continuity of counsel for the defendant.

DATED: 7/28/05

  
DAVID FERMINO  
Counsel for Kenneth John Gulick

DATED: 7/28/05

  
JEFFREY FINIGAN  
Assistant U.S. Attorney

So ordered.

DATED: 8/2/05

  
EDWARD M. CHEN  
UNITED STATES MAGISTRATE JUDGE

**STIPULATION AND [PROPOSED]  
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